

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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XINUOS, INC.,

Plaintiff,

-against-

22 **CIVIL** 9777 (CS)

**JUDGMENT**

INTERNATIONAL BUSINESS MACHINES  
CORPORATION and RED HAT, INC.,  
Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Endorsed Stipulation dated April 2, 2025, and pursuant to Federal Rule of Civil Procedure 41(a)(I)(A)(ii), Plaintiff Xinuos, Inc. and Defendants International Business Machines Corporation and Red Hat, Inc. by and through undersigned counsel, have stipulated that the dismissal with prejudice of Counts II through V of Plaintiff's Complaint. Each party shall bear their own attorneys' fees, costs, and expenses associated with Counts II through V resolved by this Joint Stipulation of Dismissal. Summary judgment has been granted for Defendant on Count I. (See Minute Entries dated 1/22/24 and 4/3/24.) Counts II, III, IV and V are dismissed with prejudice on consent pursuant to the Stipulation. Judgment is hereby entered and the case is closed.

**Dated:** New York, New York  
April 2, 2025

**TAMMI M. HELLWIG**

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**Clerk of Court**

**BY:**



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**Deputy Clerk**